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Interview Summary

Application No.
09/034,313

Applicant(s)
Claxton III et al.

Examiner
Christopher Verdier

Group Art Unit
3745

All participants (applicant, applicant's representative, PTO personnel):

(1) Christopher Verdier

(3) _____

(2) Michael Cammarata

(4) _____

Date of Interview Jan 5, 1999

Type: ☐ Telephonic ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: 1-25

Identification of prior art discussed:

UK Patent 257,111, Springer, Ruyak, and Hacker

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant proposed amendments to independent claims 15 and 20, and provided a copy for consideration by the examiner. Applicant intends to argue that amended claims 15 and 20 do not violate the recapture rule explained in In re Clement because the amended claims are narrower in an aspect germane to the prior art rejection (situation 3b). The examiner intends to take the position that amended claims 15 and 20 violate the recapture rule as set forth in situation 3a of In re Clement. Applicant argued and the examiner agrees that in Springer, the bearing cartridge is removed downstream from the impeller. However, the examiner considers Springer teaching axially spaced bearings in a bearing cartridge. In Ruyak, Applicant argued that element 56 is not a bearing cartridge. The examiner considers element 56 to broadly be a bearing cartridge. In Hacker, element 42 was stated by the examiner to be a removable bearing cartridge. With regard to claim 21, discussion was made with respect to the active element being unclear. The examiner stated

that the reason for allowance of claim 4 in the original patent was the pair of axially spaced bearings
(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

in the separate bearing cartridge, while Applicant argued that the reason for allowance was the bearing cartridge separately fastened in the diffuser.

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.

Chris Verdier
CHRISTOPHER VERDIER
PRIMARY EXAMINER
ART UNIT 3745